

Karen L. Willis, J.D.
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August 19, 2019

VIA EMAIL

The Hon. Judge Cathy Seibel
300 Quarropas St., Courtroom 621
White Plains, NY 10601-4150

REQUEST FOR EXTENSION TO FILE AMENDED COMPLAINT

Dear Hon. Judge Seibel:

I am the Intervenor in the case of Can't Stop v. Sixxvux. I do hereby request an extension of time in which to file an amended complaint in intervention for the following reason: A Writ of Mandamus into the Second Circuit Court of Appeal is being filed on or before Friday August 23, 2019 which relate to the operative initial complaint and its associated Emergency Motion for Temporary Restraining Order dated March 15, 2018.

It occurred to me today that should I amend my complaint in intervention as scheduled, this act may render any decision by the Court of Appeal moot as to the complaint and its associated Order granted on March 16, 2018. In any event, amending the complaint may deprive the Court of jurisdiction over the matter.

As your honor is aware, I sought clarification of the March 16, 2018 Order based on newly discovered information from Facebook which I maintained brings into question whether the Sixxvux actually complied with the Order. In addition, whether

the Sixuvus can continue their administration and control of official and verified Village People content; including LIKES in contravention of their right to do so being terminated in 2017. I believe the Court of Appeal is in the position to ultimately resolve this question.

Moreover, at the request of the Sixuvus counsel (Sarah Matz), the court directly clarified the Order on the record during the July 18, 2019 status conference. The Court's reasoning behind it's denial of my request to enjoin the Sixuvus from any further use of Village People's verified Facebook page, now referred to as the Kings of Disco, is substantially the basis for the Writ.

Accordingly, an extension of time in which to file an amended complaint, until a decision from the Court of Appeal, is hereby requested.

Respectfully submitted,


Karen L. Willis

Application denied. Ms. Willis may of course pursue whatever appropriate appellate remedies she has, if any, but there is nothing pending in the Court of Appeals at this time, and I must manage this lawsuit. The August 19 date for amendment was set a month ago. Ms. Willis has participated in this lawsuit for almost two years as a "provisional intervenor" and, as discussed at the last conference, her amended complaint should precede further briefing on her motion to intervene. So Ms. Willis should go ahead and file her amended complaint today. (I presume it is prepared because the request for an extension came on the day it was due.) Or, if she feels it is not in her interest to do so, she may forgo the amendment, but in that event she will not be allowed to amend in the future absent new and extraordinary circumstances.

SO ORDERED.

8/20/19


CATHY SEIBEL, U.S.D.J.